

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 :
 UNITED STATES OF AMERICA :
 :
 -v.- :
 :
 MICAH FINKEL, :
 :
 Defendant. :
 :
 -----X

STIPULATION AND
SATISFACTION OF
JUDGMENT

07 Cr. 303 (TPG)

WHEREAS, on April 13, 2007, MICAH FINKEL (the "defendant") was charged in a one-count Information 07 Cr. 303 (TPG) (the "Information") with unlawfully, intentionally, and knowingly conspiring with others to launder money, in that he committed an offense involving and affecting interstate and foreign commerce, by engaging in, and attempting to engage in, a monetary transaction in criminally derived property of a value greater than \$10,000 derived from a specified unlawful activity, to wit, marijuana trafficking, in violation of Title 18, United States Code, Section 1956(h) and Title 21, United States Code, Section 841;

WHEREAS, the Information included a forfeiture allegation charging that the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 982, a sum of money equal to \$300,000 in United States currency, in that such sum is property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the violations alleged in the Information;

WHEREAS, on or about October 5, 2006, the defendant, by and through his counsel, filed a claim with the Drug Enforcement Administration in the administrative forfeiture proceeding contesting the administrative forfeiture of approximately \$55,000.00 which was seized from FINKEL at the time of his arrest from his apartment (the "Subject Property");

WHEREAS, on January 3, 2007, the parties agreed by Stipulation, pending a possible resolution in the criminal case, to extend the time in which the United States is required to file a complaint for forfeiture against the subject property or to obtain an indictment alleging that the subject property is subject to forfeiture, as required pursuant to Title 18, United States Code, Section 983 (a)(3)(A);

WHEREAS, pursuant to a Plea Agreement dated April 26, 2007 (the "Agreement"), the defendant pled guilty to Count One of the Information. The defendant further admitted to the forfeiture allegation of the Information and agreed to forfeit to the United States the sum of \$300,000 in United States currency, representing the amount of proceeds of the offenses;

WHEREAS, on August 15, 2007, the defendant was sentenced, inter alia, to a criminal forfeiture money judgment in the amount of \$300,000 in accordance with the terms of the plea agreement;

WHEREAS, pursuant to Fed. R. Crim. P. 32.2(b)(3), this Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment; and

WHEREAS, the parties have mutually agreed that the Government's seizure of the Subject Property should be resolved on the terms and conditions set forth herein;

IT IS HEREBY STIPULATED, AGREED AND ORDERED AS FOLLOWS, by and between the office of Michael J. Garcia, United States Attorney by and through Assistant United States Attorney Jeffrey Brown, the defendant Micah Finkel, through and by his counsel, Joel Rudin Esq., at 200 West 57th Street, New York, New York 10019;

1. The defendant's right, title and interest in the sum of \$ 300,000, entered to as a money judgment, is forfeited to the United States.

2. The United States agrees to credit in full satisfaction, the amount of \$ 299,720, which was seized on or about February 25, 2005, as the proceeds of the defendant's unlawful activity, which was already administrative forfeited by the seizing agency.

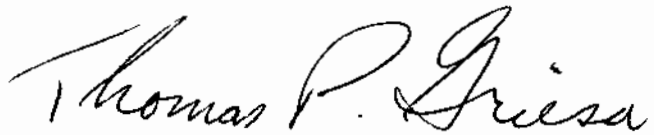
3. The Subject Property, is to be released in full to the defendant. The United States Marshal's Service is hereby directed to issue a check made payable to "Micah Finkel", and

mail the same to the attorney's mailing address, as provided above.

3. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

Dated: New York, New York
August 28, 2007

SO ORDERED:

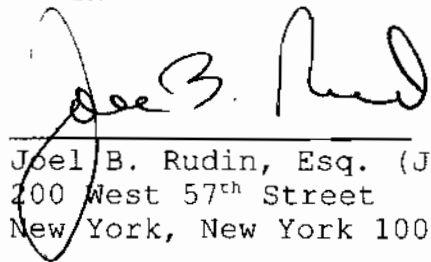


HONORABLE THOMAS P. GRIESA
UNITED STATES DISTRICT JUDGE

AGREED AND CONSENTED TO:

ATTORNEY FOR THE DEFENDANT
MICAH FINKEL


BY:



Joel B. Rudin, Esq. (JR 5645)
200 West 57th Street
New York, New York 10019

MICHAEL J. GARCIA
United States Attorney
Southern District of New York
Attorney for the Plaintiff
One St. Andrews Plaza
New York, New York 10007
(212) 637-1110

BY:



Jeffrey Brown (JB-4727)
Asst. United States Attorney